

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

D.G., by Next Friend G. Gail Stricklin; et al.,)
v.)
Plaintiffs,)) Case No. 08-CV-074-GKF-FHM
C. BRAD HENRY, et al.,)
Defendants.))

**DEFENDANTS' UNOPPOSED MOTION FOR ENTRY OF AN
ORDER TO FILE UNDER SEAL**

The Defendants, by and through their attorneys of record, Stephanie L. Theban, Donna M. De Simone and Donald M. Bingham of Riggs Abney, Neal, Turpen, Orbison & Lewis, hereby respectfully request this Court grant leave to permit them to file under seal, Defendants' Motion for Protective Order and Brief in Support Thereof and the accompanying Exhibits. Plaintiffs have requested that certain witnesses appear to testify at depositions, and Defendants seek a protective order based upon the medical condition of each of these witnesses. It will be necessary to disclose the health information of the individual witnesses; therefore, the Defendants seek to file the motion, brief and accompanying exhibits under seal, pursuant to the Health Insurance Portability and Accountability Act and L.Cv.R. 5.3. In addition, Defendants seek to have any briefs and exhibits in opposition to Defendants' Motion for Protective Order filed under seal. The privacy provisions of HIPAA protect the confidentiality and integrity of protected health information (PHI). PHI includes information which relates to the past, present, or future

physical or mental health condition of an individual. 45 C.F.R § 160.103 (2009). The information being provided to the Court is PHI and must be protected.

Plaintiffs have no objection to this Motion.

Therefore, Defendants request leave to file their Motion under seal.

Respectfully submitted,

**RIGGS, ABNEY, NEAL, TURPEN,
ORBISON & LEWIS, P.C.**

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CERTIFICATE OF SERVICE

I hereby certify that on the 24th of June, 2011, I electronically transmitted *Defendants' Unopposed Motion for Entry of an Order to File Under Seal* to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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